SUPREME COURT OF THE UNITED STATES.

October Term, 1905.

No. 201.

FEDERICO AMADEO, for the Use of and Jointly
with THE PASTOR MARQUEZ COMPANY, in Liqui-
dation, Plaintiffs in Error,

vs.

THE ROYAL INSURANCE COMPANY.

IN ERROR TO THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF PORTO RICO.

BRIEF FOR DEFENDANT IN ERROR.

Francis H. Dexter,
Frederic D. McKenney,
John Spalding Flannery,
Attorneys for Defendant in Error.

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STATEMENT OF CASE.

The pleadings and course of procedure in this case are
similar to those found and pursued in cases Nos. 199 and
200.

The judgment was in favor of the defendant upon the
pleadings and against "Federico Amadeo for himself and
for the use and benefit of the firm of Pastor Marquez and
Company and Pedro Salazar, as liquidating partner of the
said Pastor Marquez and Company" (R., 29).

Judgment was rendered January 15, 1904.

Neither Federico Amadeo nor Pedro Salazar, as liquidating partner of Pastor Marquez and Company, join in the alleged appeal bond, which does not appear to have been approved by the district judge (R., 31), nor does the name of Pedro Salazar appear as a party plaintiff in error in either the citation (R., 33-34) or the writ of error (R., 35).

No summons and severance or notification of intention on the part of Federico Amadeo to sue out the writ of error appears to have been had or given to Salazar.

ARGUMENT.

For reasons suggested and upon the authorities cited in the brief of defendant in error, filed in cases 199 and 200, this writ of error herein should be dismissed.

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Attorneys for Defendant in Error.